

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALLSTAR MARKETING GROUP, LLC,

Plaintiff,

-v-

4UTOTO, et al.,

Defendants.

20 Civ. 8401 (PAE)

ORDER OF
DEFAULT JUDGMENT

PAUL A. ENGELMAYER, District Judge:

On October 8, 2020, plaintiff filed the complaint. *See* Dkts. 2, 7. On October 19, 2020, plaintiff served defendants with process, making defendants' deadline to answer or otherwise respond November 9, 2020. *See* Dkt. 21. The defaulting defendants have not responded to the complaint or otherwise appeared in this action. On August 18, 2021, plaintiff obtained a Clerk's Certificate of Default against the defaulting defendants. Dkt. 35. On August 25, 2021, plaintiff filed a motion for default judgment. Dkt. 36. On August 31, 2021, plaintiff served defaulting defendants with its motion for a default judgment. Dkt. 40.

On December 10, 2021, this action was reassigned to this Court. On December 15, 2021, the Court issued an order to show cause as to why a default judgment should not be entered against the defaulting defendants and respond by January 5, 2022. Dkt. 41. On December 27, 2021, plaintiff filed a certificate of service stating that defendants had been served with the order to show cause on December 21, 2021. Dkt. 42. To date, the defaulting defendants have not appeared in this action.

The Court has reviewed plaintiff's motion for default judgment pursuant to Federal Rule of Civil Procedure 55(b) and its supporting affidavit and submissions. Dkts. 36–38. Because

proof of service has been filed, defendants have not answered the complaint, the time for answering the complaint has expired, and defendants have failed to appear to contest the entry of a default judgment, the Court enters a default judgment for plaintiff against defendants.

This case will now be referred to Magistrate Judge Kevin Nathaniel Fox for an inquest into damages by separate order. Plaintiff shall serve this order on defendants and file an affidavit reflecting such service on the docket by January 25, 2022.

The Court respectfully directs the Clerk of the Court to terminate the motion pending at docket 36.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: January 18, 2022
New York, New York